UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/044,213	11/20/2001	Vincent E. Parla	CIS01-06(4183)	7385

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EXAMINER
ANYA, CHARLES E

ART UNIT	PAPER NUMBER
2194	

DATE MAILED: 12/29/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

	Application No.	Applicant(s)
Office Action Summary	10/044,213	PARLA ET AL.
	Examiner	Art Unit	
	Charles E. Anya	2194	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3/</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on <u>9/23/05</u>.

2a)☐ This action is **FINAL**.   2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) <u>1,2,4-20 and 22-39</u> is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) <u>1,2,4-20 and 22-39</u> is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All   b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

WILLIAM THOMSON
SUPERVISORY PATENT EXAMINER

Attachment(s)

1)☐ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
    Paper No(s)/Mail Date _____.

4)☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____.

5)☐ Notice of Informal Patent Application (PTO-152)

6)☐ Other: _____.

DETAILED ACTION

1.   Claims 1,2,4-20,22-39 are pending in this application.

Claim Rejections - 35 USC § 103

2.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

3.   **Claims 1,2,4-13,19,20,22-31 and 37-39 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Pat. No. 6,167,448 to Hemphill et al. in view of U.S. Pat. No. 6,594,786 B1 to Connelly et al.**

4.   As to claim 1, Hemphill teaches an event processing server, a method for processing events comprising the steps of: receiving an event message ("...ENM..." Col. 2 Ln. 10 - 17); the event message contains event registration information (EAS Files 210 Col. 10 Ln. 63 - 67, Col. 11 Ln. 1 - 10); identifying event information required to process event data based on the event message ("...locate a file..." Col. 2 Ln. 20 - 23, Col. 2 Ln. 43 - 48, Col. 8 Ln. 27 - 45).

5.   Hemphill is silent with reference to product versions currently supported and a definition of a set of classes for said product, determining if existing event information is

accessible to process the event data and if the existing event information is not accessible: (i) providing an event rejection indicating missing event information; and (ii) receiving the missing event information identified in the event rejection.

6.   Connelly teaches product versions currently supported and a definition of a set of classes for said product (Source Col. 8 Ln. 53 – 64, Col. 19 Ln. 27 – 31), determining if existing event information is accessible to process the event data and if the existing event information is not accessible; (i) providing an event rejection indicating missing event information (Col. 16 Ln. 57 - 67); and (ii) receiving the missing event information identified in the event rejection ("...Step 188..." Col.17 Ln. 10 - 16).

7.   It would have been obvious to one of ordinary skill in the art at time the invention was made to combine Connelly and Hemphill because the teaching of Connelly would improve the system of Hemphill by agent-server recovery protocol for notifying a monitored system by a monitoring server (HA server) to correct an error event received therefrom (Connelly Col. 16 Ln. 57 - 63).

8.   As to claim 2, Hemphill teaches the method of claim 1 further comprising the steps of: selecting the event information based on the event data received', and generating an event output from the selected event information (Col. 2 Ln. 43 - 48).

9.   As to claim 4, Hemphill teaches the method of claim 1 wherein the event message includes at least one unique identifier identifying the source of the event data ("...DEVICEID..." Col. 9 Ln. 32 - 50, Col. 10 Ln. 38 - 52).

10.   As to claim 5, Hemphill teaches the method of claim 4 wherein the step of

identifying event information required to process event data identifies the event

information required based on the source of the event data (Col. 8 Ln. 43 - 45).

11.   As to claim 6, Hemphill teaches the method of claim 1 wherein the event

message includes at least one unique identifier identifying event information required to

process the event data ("...locate a file..." Col. 2 Ln. 20 - 23, Col. 2 Ln. 43 - 48, Col. 8

Ln. 27 - 45).

12.   As to claim 7, Connelly teaches the method of claim 1 wherein the steps of

receiving comprise a step of accepting at least one of event registration information,

event data and event information mark-up language documents (Step 188 Col. 17 Ln.

14 - 16).

13.   As to claim 8, Hemphill teaches the method of claim 1 wherein the event data

includes network management data indicating a network management event associated

with a source of the event data and wherein the step of receiving event data utilizes a

hypertext transport protocol to receive the event data (Col. 10 Ln. 22 - 62).

14.   As to claim 9, Connelly teaches the method of claim 1 wherein in the step of

determining, if the existing event information is accessible, the method further

comprises the steps of: (i) providing an event data destination; and (ii) receiving the

event data via the event data destination (Step 190 Col. 17 Ln. 10 - 19, figure 8B Col.

18 Ln. 3 - 14).

15.   As to claim 10, Connelly teaches the method of claim 9 wherein the steps of

receiving comprise the steps of: reading first and second event data; processing the first

and second event data to produce event output data that reflects a hierarchical event

relationship between the first and second event data ("...out-of-sequence..." figure 7E

Col. 17 Ln. 10 - 19, figure 88 Col. 18 Ln. 3 - 14).

16.   As to claim 11, Connelly teaches the method of claim 1 further comprising the

step of creating system component status records and wherein the step of receiving the

event data further includes the step of: updating a status of the system component

status record based on the event data received ("...status change..." Col. 9 Ln. 65 - 67,

Col. 10 Ln. 1 - 9).

17.   As to claim 12, Hemphill the method of claim 1 wherein the event message

contains event data (ENM 207 Col. 10 Ln. 22 - 62).

18.   As to claims 13 and 31, see the rejection of claim 1 above.

19.   As to claim 19, Hemphill teaches an event processing server for processing

event messages comprising: a memory; a communications interface; a processor; and

an interconnection mechanism coupling the memory, the processor and the

communications interface (Server I/F 221 Col. 8 Ln. 1 - 14), wherein the processor is

configured to: receive an event message (Event Processor Logic 222 (ENM 207) Col. 8

Ln. 15 - 26), the event message contains event registration information (EAS Files 210

Col. 10 Ln. 63 - 67, Col. 11 Ln. .1 - 10), identify event information required to process

event data based on the event message ("...location pointer..." Col. 8 Ln. 27 - 45).

20.   Hemphill is silent with reference to event registration information further including

product versions currently supported and a definition of a set of classes for said product,

determining if existing event information is accessible to process the event data and if

the existing event information is not accessible; (i) provide an event rejection indicating

missing event information; and (ii) receive the missing event information identified in the

event rejection.

21.   Connelly teaches event registration information further including product versions

currently supported and a definition of a set of classes for said product (Source Col. 8

Ln. 53 – 64, Col. 19 Ln. 27 – 31), determining if existing event information is accessible

to process the event data and if the existing event information is not accessible: (i)

providing an event rejection indicating missing event information (Col. 16 Ln. 57 - 67);

and (ii) receiving the missing event information identified in the event rejection "...Step

88..." Col.17 Ln. 10 - 16).

22.   It would have been obvious to one of ordinary skill in the ad at time the invention was made to combine Connelly and Hemphill because the teaching of Connelly would improve the system of Hemphill by agent-server recovery protocol for notifying a monitored system by a monitoring server (HA server) to correct an error event received therefrom (Connelly Col. 16 Ln. 57 - 63).

23.   As to claims 20 and 22 - 30, see the rejection of claims 2 and 4 - 12 respectively.

24.   As to claims 37 and 38, see the rejection of claims 1 and 19 respectively.

25.   As to claim 39, Hemphill teaches the method of claim 1, wherein said event registration information includes information that identifies a source of forthcoming event data as well as event information that the event processing server will require in order to be able to correctly process the forthcoming event data (EAS Files 210 Col. 10 Ln. 63 - 67, Col. 11 Ln. 1 - 67, Col. 12 Ln. 1 - 67).

26.   Claims 14-16,18,32-34 and 36 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Pat. No. 6,779,004 B1 to Zintel in view of U.S. Pat. No. 6,594,786 B1 to Connelly et al.

27.   As to claim 14, Zintel teaches in an event generation client, a method for processing events comprising: sending event registration information including

identifying event information required to process event data

(RegisterupnpEventsource() Col. 32 Ln. 10 - 38, Col. 33 Ln. 50 - 67); detecting an event

(SumbitupnppropertyEvent() Col. 33 Ln. 1 - 42); in response to detecting an event,

creating event data (Col. 33 Ln. 24 - 25, Col. 34 Ln. 1 - 8); and sending the event data

to an event processing server ("...subscribers..." Col. 33 Ln. 1 - 28, HUP Server 626

Col. 34 Ln. 15 - 25).

28.   Zintel is silent with reference to event registration information further including

product versions currently supported and a definition of a set of classes for said product.

29.   Connelly teaches event registration information further including product versions

currently supported and a definition of a set of classes for said product (Source Col. 8

Ln. 53 – 64, Col. 19 Ln. 27 – 31).

30.   It would have been obvious to one of ordinary skill in the art at time the invention

was made to combine Connelly and Hemphill because the teaching of Connelly would

improve the system of Hemphill by agent-server recovery protocol for notifying a

monitored system by a monitoring server (HA server) to correct an error event received

therefrom (Connelly Col. 16 Ln. 57 - 63).

31.   As to claim 15, Zintel teaches the method of claim 14 wherein the step of

creating event data includes formatting the event data in a mark-up language format

capable of transmission via a hyper-text transport protocol (Col. 29 Ln. 11 - 16, "...XML

body..." Col. 33 Ln. 24 - 25).

32.   As to claim 16, Zintel teaches the method of claim 14 wherein the step of sending

event registration information, further comprises the step of: initiating a multiple of status

checks of sources to produce status check information; and forwarding status check

information in the event data to the event processing server ("...alive..." Col. 39 Ln 9 -

11).

33.   As to claim 18, Connnelly teaches the method of claim 14, further including the

steps of: receiving an event rejection indicating missing event information from an event

process server; obtaining the missing information; and sending the missing evening

information to the event processing server ("...Step 188..." Col.17 Ln. 10 - 16).

34.   As to claims 32 - 34, see the rejection of claims 14 - 16 respectively.

35.   As to claim 36, see the rejection of claim 18 above.

36.   Claims 17 and 35 are rejected under 35 U.S.C. 103(a) as being unpatentable

over U.S. Pat. No. 6,779,0.04 B1 to Zintel in view of U.S. Pat. No. 6,594,786 B1 to

Connelly et al. as applied to claim 14 above, and further in view of U.S. Pat. No.

6,526,442 B1 to Stupek Jr. et al.

37.   As to claim 17, Zintel and Connelly are silent with reference to the method of

claim 14 wherein the step of sending the event data further comprises the step of:

periodically sending event data to the event processing server as confirmation of an operating communications channel.

38.   Stupek teaches the method of claim 14 wherein the step of sending further comprises the step of: periodically sending event data to the event processing server as confirmation of an operating communications channel (Col. 2 Ln. 54 - 67).

39.   It would have obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Stupek, Connelly and Zintel because the teaching of Stupek would improve the system of Connelly and Zintel by providing plurality of notices indicative of the state of network to a management engine (Col. 2 Ln. 54 - 67).

40.   As to claim 35, see the rejection of claim 17 above.

Response to Arguments

41.   Applicant's arguments with respect to claims 1,2,4-20 and 22-39 have been considered but are moot in view of the new ground(s) of rejection.
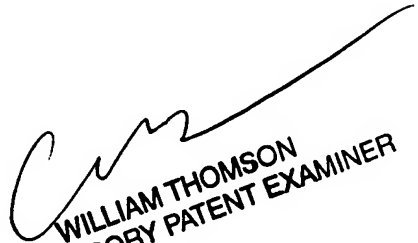

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Charles E. Anya whose telephone number is (571) 272-3757. The examiner can normally be reached on M-F (8:30-5:00).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, William Thomson can be reached on (571) 272-3718. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Charles E Anya
Examiner
Art Unit 2194

cea.

WILLIAM THOMSON
SUPERVISORY PATENT EXAMINER